IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE N/S Mantle Street, 325' E of

Pelitioners

the c/l of Hillway Avenue * ZONING COMMISSIONER (1324 Mantle Street) 11th Election District * OF BALTIMORE COUNTY 5th Councilmanic District * Case No. 31-311-A Timothy D. Bowen, et ux

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance to permit a rear yard setback of 33 feet in lieu of the required 50 feet for a proposed 15' x 14' one-story addition, and a side yard setback of 0 feet in lieu of the minimum required 2.5 feet for an accessory structure, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In support of their position, Petitioners submitted an attidavit signed by several of their neighbors, including adjoining property owners, indicating they have no objections to their plans. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R.

Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Fursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this All day of April, 1991 that the Petition for Residential Variance to permit a rear yard setback of 33 feet in lieu of the required 50 feet for a proposed 15' x 14' one-story addition, and a side yard setback of 0 feet in lieu of the minimum required 2.5 feet for an accessory structure, in accordance with Fetitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> !) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that prodeeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments.

3) The proposed addition shall be equipped with appropriate downspouts and gutters to divert all water runoff away from adjoining properties.

4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order. Robert Hainla

ching Commissioner for Baltimore County

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-311-A The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 1324 MANILE EN MO 21224

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate bardship or practical difficulty) 1) DUE to graving FAMILY, WE MEET MORE LIVING STATE 21 NOOD AUTIDIAN 16 lost in REAR of house, but will Entoned over 50' min set Back

3) Others home in Black have brilt additions on Rear Extracion over get Back 4) Unable to affect larger bousing

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

TERRIL BOULD

APPLANT (Printed Name)

AFFIART (Printed Name) STATE OF MARYLAND, COUNTY OF BALTIMORE, TO VIL I HEREBY CERTIFY, this 3/ day of 19/, before me, a
Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Trintly D. Bowen and Pan. L. Biner the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts bereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

ZONING DESCRIPTION

Being Known AND DESIGNATION AS LOT No. 13, Block Q, As laid out and delineated on plat Prepared by Knecht and maxwell, LAND scape Architects and Engineers, and Entitled " Record PlAt, Section Z, Block O, P,Q, PARKSIDE Heights", SAID Plat being dated February 21, 1958 and recorded among the Plat Records of Baltimore, County in Plat Book 6.L.B. No 25, Folio 60. The Improvements thereon being known as No. 1324 mantle St (Formerly Known As No. 1624 manifest) Describe As Begining At A Point on the North side of maniferst which is 325 ! Fret East of the Cemeline of Hillway Ave, moving Around the -CIRCUMFERENCE of the Property, First more North 106± then East . 221 then south 1045' then west 285' Returning back to that SAME Point, Also KNOWN AS 1324 MANHEST and Located IN the #9 Election District.

91-311-A

Baltimore County Government Zoning Commissioner Office of Planning and Zoning 111 West Chesapeake Avenue Towson, MD 21204 April 2, 1991

Mr. & Mrs. Timothy D. Bowen 1324 Mantle Street Baltimore, Maryland 21234

RE: PETITION FOR RESIDENTIAL VARIANCE N/S Mantle Street, 325' E of the c/l of Hillway Avenue (1324 Mantle Street) 11th Election District - 5th Councilmanic District Timothy D. Bowen, et ux - Petitioners Case No. 91-311-A

Dear Mr. & Mrs. Bowen:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

887-3353

J. ROBERT HAINES Zoning Commissioner for Baltimore County

cc: People's Counsel

JRH:bjs

CERTIFICATE OF POSTIM Potitioner: Timothy D. Bowon, of 4" Location of property: N/S Monto ST. 325' E/ If Ilways Are Location of Signe: Sacing Mon Thost approl. 15 For Yord way

ligites on Account: R-001-6150 STORE A THE RESIDENCE AND ASSESSMENT OF CARE

PETITION FOR RESIDENTIAL VARIANCE

The undersigned, legal owner(s) of the m

Contract Purchaser:

(Type or Print Hame)

Attorney for Petitioner:

Attorney's telephone number

1B02.3.C.1 & Sec. 400.1

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

	9		-311	'/ -	2				
operty	situate	in	Baltimore	County	and	which	10	described	1
	t hereof		tition for	- V4-		f 0			

To allow a rear setback: (1) for an addition of 33 ft. in lieu of 50 ft. & a side yard

setback for (2) an accessory structure of zero ft. in lieu of 2.5 ft. in a D.R.-10.5 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason:

1) DUE to Agrowing FAMILY, WE NEED ADDITIONAL LIVING SPACE

2) need s Additional 16 Feet in Rear of Mase, but will calend over so' minim setting

3) other homes in block have built addition on Rair, Extending over 50' a set back Y) UNABLE to Afford LANGER WOUSING Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuent to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal

Legal Owner(s):	ALAP D
Timeny D & own	_
(Type dr Print Namb)	* D _
Signature 17RK L FXCCN	
(Type or Print Name)	1000
Signature	1.00 <u> </u>
1324 MANTE ST	(m(c:1
Address 21234	Phone
City/State/fip Code	

ORDERED by the Zoning Commissioner of Baltimore County, this 474 day of 1991, that the subject matter of this petition be posted on the property on or before the 20 mg day of FER. . 19 91

ZONING COMMISSIONER OF BALTIMUNE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED. IT 15 FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19___, that the subject matter of this patition be advertised, as required by the Zoning Lew of Baltimore County, in two newspapers of general circulation throughout Beltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Beltimore County

n Room 108, County Office Building in Towson, Baltimote County, on the _____ day of _____, 19____, at ____ pⁱclock,

M.	
ROER RECEIVED FOR FILING	ZONING COMMISSIONER OF BALTIMURE COUNTY

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue

887-3353

February 20, 1991

Timothy and Terri Bowen 1324 Mantle Street Baltimore, Maryland 21234

Towson, MD 21204

LOCATION: N/S Mantle Street, 325' E of c/l Hillway Avenue 1324 Mantle Street

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 27, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is March 14, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

(301) 887-3391

111 West Chesapeake Avenue Towson, MD 21204

887-3353

March 11, 1991

Mr. & Mrs. Timothy D. Bowen 1324 Mantel Street Baltimore, MD 21234

> RE: Item No. 311, Case No. 91-311-A Petitioner: Timothy D. Bowen, et ux Petition for Residential Variance

Dear Mr. & Mrs. Bowen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw Enclosures 111 West Chesapeake Avenue

Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 4th day of February, 1990.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

ZONING COMMISSIONER

Received By:

Zoning Plans Advisory Committee

Petitioner: Timothy D. Bowen, et ux Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: March 6, 1991 J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Russell V. Pettiford, Item No. 301
Timothy D. Brown, Item No. 311
Robert P. Biller, Item No. 318
Lloyd Lee Jordan, Item No. 321
Clyde P. Jackson, Item No. 322

In reference to the Petitioners' requests, staff offers no comments.

Plat to accompany Petition for Zoning \(\mathbb{X} \) Variance \(\subseteq \text{Special Hearing} \)

10 10

PROPOSED IS x14

tranit

Over Hade

(15 x 103)

LOCATION INFORMATION

SEWER: X

WATER: 🔼 🗌

NONE

Councilmanic District:

1'=200' scale map#: NE 8-C

Chesapeake Bay Critical Area: 🔲 🔯

Zoning Office USE ONLY!

JRA 311

Election District: 1)

ISTORY ADDITION

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm NCVARIED/ZAC1

PROPERTY ADDRESS: 1324 MANILE ST

Subdivision name: PARKSIDE ||eishts plat book# 25, folio# 60, lot# 13, section# Q

(3'x5')

North

date: 1-22-91

prepared by:

LIMENAUE MANTLE STIPET 550-38-50"W

Scale of Drawing: 1"= 20

OWNER: Tim & Terri Bourn

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: March 8, 1991

Mr. J. Robert Haines Zoning Commissioner

FROM: Rahee J. Famili SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: February 26, 1991

The Bureau of Traffic Engineering has no comments on items number 297, 301, 311, 318, 321, and 322.

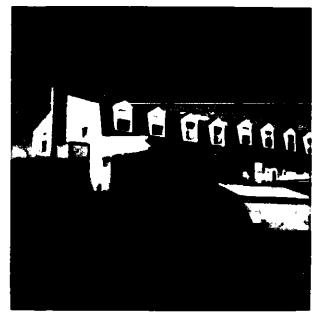
> Rahee J. Famili Traffic Engineer II

RJF/lvd

CASE NUMBER 91-311-A



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BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: February 22, 1991 FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for February 26, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 297, 301, 311, 318, 321, and 322.

For Item 319 the previous County Review Group Comments are still applicable.

> ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB:s

TIONER'S EXHIBIT#

J. Tobert Haines Foring Commissioner Office of Planning and Boning

700 East Joppa Road Suite 901 Towson, MD 21204-5500

Baltimore County Office Euildirg Towson, MD 21204

H: Froperty Owner: TIMOTHY D. POWEN

Location: #1324 HANTER STREET Item Ec.: 311 Zoning Agenda: FEBRUARY 26, 1991

Gentlemen: Fursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

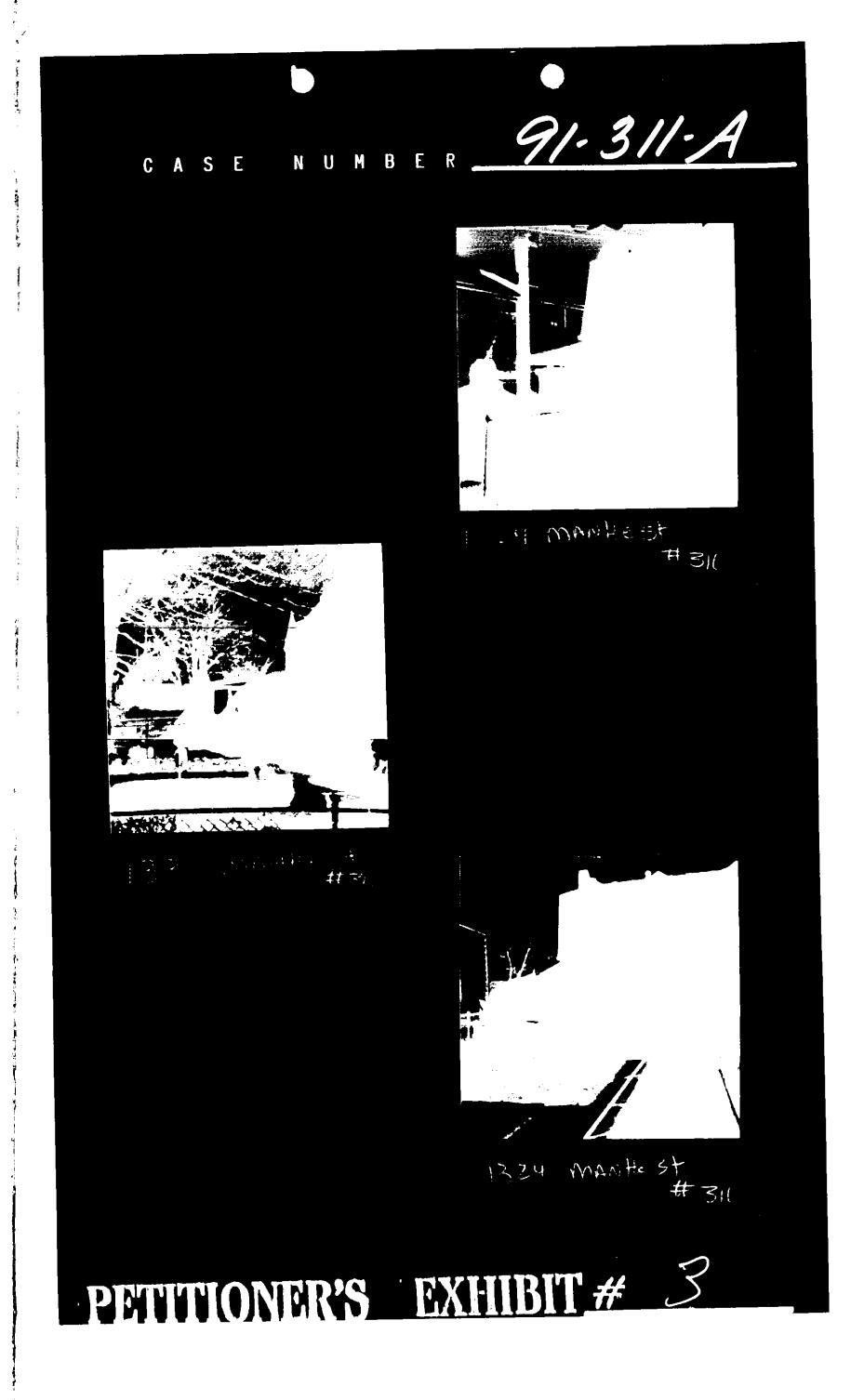
Planning Croup Special Inspection Division

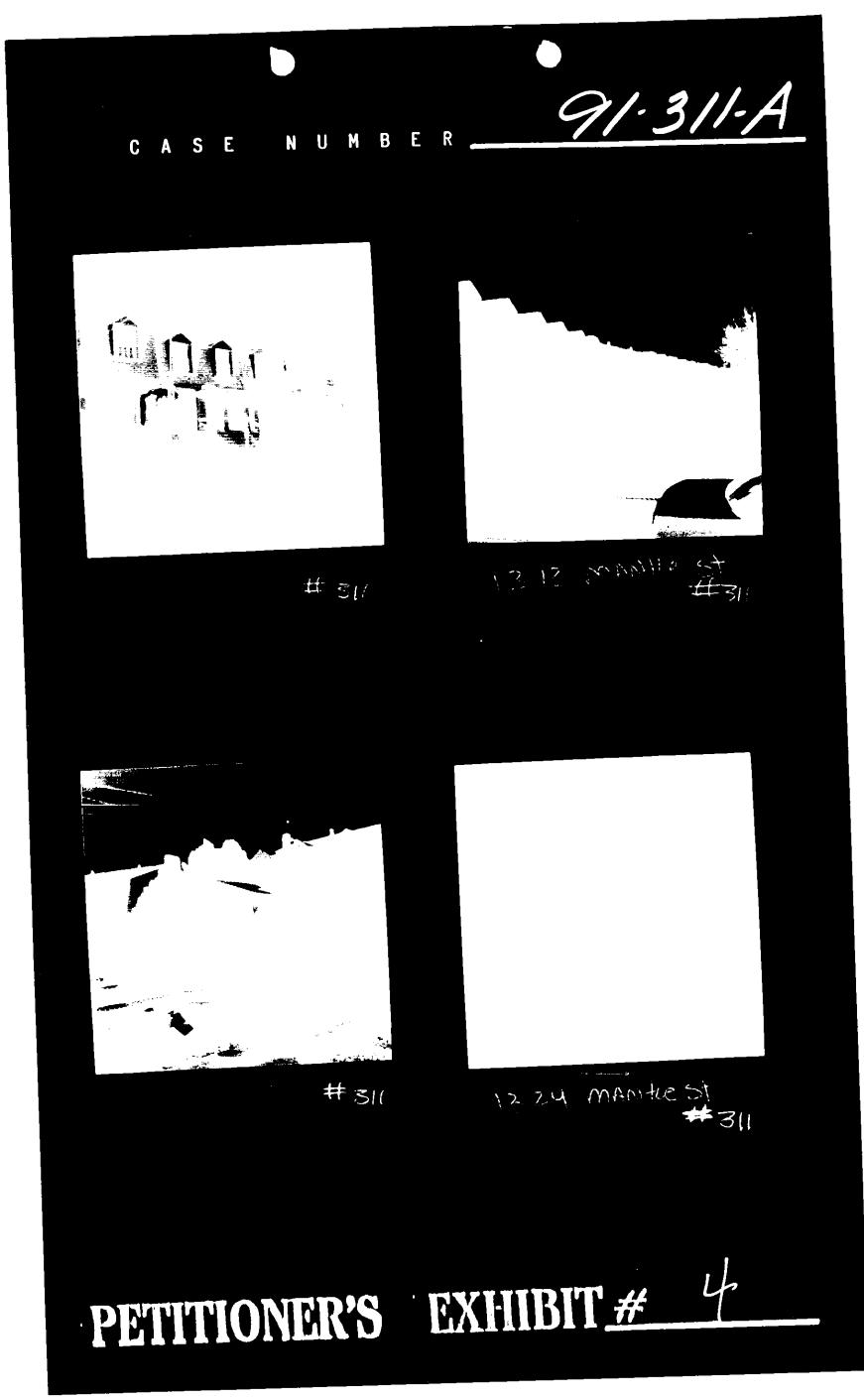
Baltimore County Government Fire Department

MARCH 13, 1991

(301) 887-4500

JY/KEK

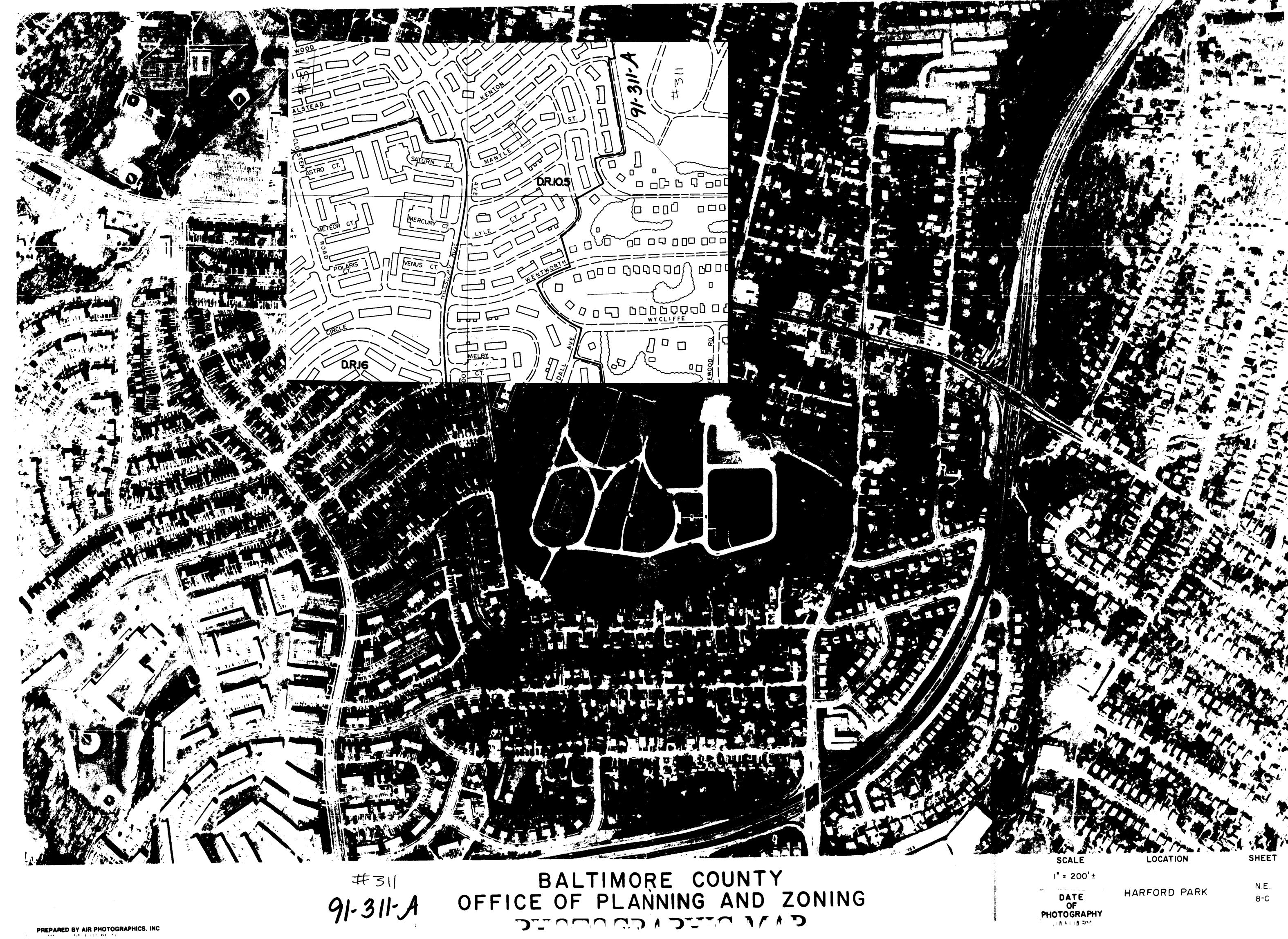




I whom it may concern:

We the undersigned being neighbors of 1324 Manuel Street are in agreement with and do approve the building of a 16' K14' room addition to the back part of the Bowen's house as in accordance to the Variance H9100311

Signatures	Addresses
John Jones	1322 MANTLE ST. BANDAD 21234
Dad of pile	1314 MAJUL ST. BALTO MO 2,234
vois Zinkhn	1314 Mantle ST . Ballo 21234
Dawn Karkel	1317 Kenton Rd. Bilo. 21234
Sandy J. Benson	1315 Kenton Rd, Baito 21234
thus + Midad Luchtel	1313 Kerslow Ald "
Lomby De Kentle.	1517 Kenta Ad 5,1334
Ditilan Hallock	1320 Mantle It 2/134
Marotty V. Nayn	1326 martie St 71236
Thorn White	1330 mantle st 21331
\ \/	
X YOU X	
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	01011
	91-311-A



PREPARED BY AIR PHOTOGRAPHICS, INC